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SONNENSCHN, NATH & ROSENTHAL
8000 Sears Tower
233 S. Wacker Drive
Chicago, IL 60606
312/876-0200

2823
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TECHNOLOGY CENTER 2800

APPLICANTS: Akira Mizumura DOCKET NO.: 09792909-5096
SERIAL NO.: 09/907,373 GROUP ART UNIT: 2823
DATE FILED: July 17, 2001 EXAMINER: Khiem Nguyen
INVENTION: "METHOD OF PRODUCING A SEMICONDUCTOR DEVICE"

AMENDMENT AND COMMUNICATION

Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

SIR:

Transmitted herewith is an amendment in the above-identified application.

Additional claim fee is required.

The fee has been calculated as shown below.

CLAIMS AS AMENDED							
	(2) CLAIMS REMAINING AFTER AMENDMENT		(4) HIGHEST NO. PREVIOUSLY PAID FOR	(5) PRESENT EXTRA	(6) RATE	(7) ADDITIONAL FEE	
TOTAL CLAIMS		MINUS	20	-0-	() X 9.00 () X 18.00	0.00	
INDEP. CLAIMS		MINUS	4	-0-	() X 39.00 () X 80.00	0.00	
Application amended to contain any multiple dependent claims not previously paid for.				() YES (X) NO	() \$135.00 () \$270.00 ONE TIME		
				TOTAL ADDITIONAL FEE FOR THIS AMENDMENT		\$0.00	

Applicants petition the Commissioner for Patents to extend this time for response to the Office Action dated _____ for _____ month so that the period for response is extended to _____.

The Commissioner is hereby authorized to charge the amount of \$ _____ to Attorney firm's American Express account no. to cover the extension of time fee. Form 2038 is enclosed.

A check in the amount of \$ _____ is attached to cover the additional claim fee.

☒ The Commissioner is hereby authorized to charge any additional fees which may be required, or to credit any overpayment to account No. 19-3140. A duplicate of this sheet is enclosed.

When phoning re this application, please call 312/876-8000 - Ext. 2606.

SONNENSCHN NATH & ROSENTHAL

DATE: July 31, 2003

BY Christopher P. Rauch (Reg. No. 45,034)
Christopher P. Rauch

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited as first class mail in an envelope addressed to Commissioner for Patents, Box 1450, Alexandria, VA 22313-1450 on July 31, 2003.

Christopher P. Rauch
Christopher P. Rauch



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

PATENT

Applicant: Akira Mizumura

Application No: 09/907,373

Filing Date: July 17, 2001

For: METHOD OF PRODUCING A
SEMICONDUCTOR DEVICE

Case No.: 09792909-5096

Group Art Unit: 2823

Examiner: Khiem Nguyen

Certificate of Mailing (37 CFR 1.8(a))

I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313

Date of Deposit: July 31, 2003

Anna M. Franz 7-31-3
Anna M. Franz Date

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Mail Stop: Non-Fee Amendment
Commissioner for Patents
Box 1450
Alexandria, VA 22313-1450

Dear Sir:

Enclosed herewith is an Amendment of Mizumura for the above identified patent application entitled: METHOD OF PRODUCING A SEMICONDUCTOR DEVICE.

Enclosed are: Amendment "C"
Amendment Cover Letter
Transmittal Letter
Certificate of Mailing
Postcard

Respectfully submitted,

SONNENSCHN NATH & ROSENTHAL
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Sears Tower
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By: Christopher P. Rauch
Christopher P. Rauch
Registration No. 45,034



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AMENDMENT "C"

APPLICANT(S): Akira Mizumura ATTY DOCKET NO. 09/0792909-5096
SERIAL NO.: 09/907,373 GROUP ART UNIT: 2823
DATE FILED: July 17, 2001 EXAMINER: Khiem Nguyen
INVENTION: "METHOD OF PRODUCING A SEMICONDUCTOR DEVICE"

Commissioner for Patents
P.O. Box 1450, Alexandria, VA 22313-1450

S I R:

This Amendment "C" is filed in response to the Office Action of June 16, 2003. Please reconsider the application in view of the amendment and remarks presented below.

IN THE CLAIMS

Please amend claim 1 as follows:

1. (Three Times Amended) A method of producing a semiconductor device, the method comprising the steps of:

dry etching an upper layer pattern formed on an insulating film such that at least a part of the insulating film, which is formed above an element separation and a substrate, is exposed; and

after the dry etching, exposing a surface of the insulating film to a same film formation atmosphere as used to form [of] the insulating film prior to forming additional layers upon the insulating film.

REMARKS

Claims 1-2 are pending in the application. In the Office Action of June 16, 2003, the Examiner rejected claims 1-2 under 35 U.S.C. §102(e) as being anticipated by *Miyasaka*. Applicant respectfully traverses the rejection and addresses the Examiner's disposition below.

Applicant's independent claim 1 has been amended to clarify a surface of the insulating film is exposed to a same film formation atmosphere as used to form the insulating film. Attached hereto is a marked-up version of the changes made to the specification and claims by the current amendment. The attached page is captioned "VERSION WITH MARKINGS TO SHOW CHANGES MADE".